

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

NOTICE OF PUBLIC HEARING
concerning

**CONSIDERATION OF ORDER AMENDING
WASTE DISCHARGE REQUIREMENTS ORDER R5-2008-0173
(NPDES PERMIT NO. CA0078662)
FOR
EL DORADO IRRIGATION DISTRICT
DEER CREEK WASTEWATER TREATMENT PLANT
EL DORADO COUNTY**

El Dorado Irrigation District (Discharger) owns and operates the Deer Creek Wastewater Treatment Plant. The treatment plant is designed to discharge up to 3.6 million gallons per day of tertiary-treated municipal wastewater to Deer Creek, a water of the United States, and a tributary to the Cosumnes River within the San Joaquin River Basin, and to the Sacramento-San Joaquin Delta.

On 4 December 2008, the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order No. R5-2008-0173 (NPDES Permit) prescribing waste discharge requirements for the Deer Creek Wastewater Treatment Plant. After adoption by the Central Valley Water Board, the NPDES Permit was legally challenged to the Superior Court of California by the California Sportfishing Protection Alliance. On 26 January 2011, the Superior Court of California issued a Final Statement of Decision requiring the Central Valley Water Board to reconsider whether to impose effluent limitations for aluminum, hardness-dependent metals, and bromodichloromethane. In addition, the Court required the Central Valley Water Board to consider whether it is legally and factually possible for the Discharger to comply with the requirements of Water Code section 13176 in monitoring for pH and temperature, and to require the Discharger to conduct bis (2-ethylhexyl) phthalate sampling using laboratory equipment that does not contain bis (2-ethylhexyl) phthalate. The proposed Order revises WDR Order No. R5-2008-0173 to comply with the Final Statement of Decision. The revisions are shown in the proposed Order in underline/strikethrough format.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting scheduled for:

DATE: 8/9/10 June 2011
TIME: 8:30 AM
PLACE: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

The designated parties for this hearing include El Dorado Irrigation District representatives.

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than

2 May 2011. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

Comments are limited to the proposed changes only. Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than 5:00 pm on **2 May 2011**. At its public hearing, the Central Valley Water Board may choose to reject the proposed revisions, which will not require an additional public comment period. For example, the Central Valley Water Board will not provide a second public comment period if it decides to require laboratory certification for pH and temperature measurements, remove the proposed bromodichloromethane effluent limitations, etc. Therefore, any written evidence and comments regarding the proposed changes must be submitted prior to the due date above.

Written evidence or comments submitted after 5:00 pm on **2 May 2011** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party. All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions on the proposed Order should contact Mr. Josh Palmer at (916) 464-4674 or jpalmer@waterboards.ca.gov. Interested parties may download this notice and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/board_info/calendar/index.shtml. Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzarda at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzarda at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.



Kenneth D. Landau, Assistant Executive Officer

1 April 2011